

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re: Refrigerant Compressors
Antitrust Litigation

Case No. 2:09-md-02042

Honorable Sean F. Cox
United States District Court

ORDER
REGARDING FILING OF MOTIONS TO DISMISS
GAFFET AND STRONG ELECTRIC “TAG-ALONG” ACTIONS

Currently pending before this Court are motions seeking to dismiss the Direct Purchaser Plaintiffs' Master Amended Complaint and the Indirect Purchaser Plaintiffs' Consolidated Amended Complaint.

After those motions were filed, two additional “tag-along” actions were transferred to this Court by the MDL Panel: 1) *Strong Electric v. Tecumseh Products Company et al.* (Case No. 10-00448); and 2) *Gaffet v. Tecumseh Products Company et al.* (Case No. 10-00443). (See Conditional Transfer Order (CTO-3), Docket Entry No. 227).

Pursuant to Case Management Order No. 1, “[w]ithin thirty (30) days after any transfer to this Court of a ‘tag-along’ action, Defendants may file or renew motions with respect to such actions pursuant to Fed. R. Civ. P. 12.” (Docket Entry No. 152 at 10).

Due to no fault of the parties in this action, although Conditional Transfer Order (CTO-3) was issued by the MDL Panel on March 16, 2011, it was not entered on the docket in this action until April 6, 2011.

Accordingly, the Court hereby **ORDERS** that any motions to dismiss the *Gaffett* or *Strong Electric* actions shall be filed no later than **May 6, 2011**.

IT IS FURTHER ORDERED that, to the extent that Defendants request the Court to

extend the deadline for filing motions to dismiss the *Gaffett* or *Strong Electric* actions until after this Court has ruled on the pending motions to dismiss (see Docket Entry Nos. 228 & 299), those requests are **DENIED**.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: April 13, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 13, 2011, by electronic and/or ordinary mail.

S/Jennifer Hernandez
Case Manager